IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.282 of 2007

DATE OF ORDER: 18.1.2007

Harish Chander

...Petitioner(s)

Versus

Charanjit Singh and Another

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr.Chetan Mittal, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 17.11.2006 passed by Civil Judge(Jr.Divn.), Chandigarh whereby an application under Order 1 Rule 10 CPC filed by Inderjit Kaur was allowed and she was allowed to be impleaded as a party.

The facts of the case are that Harish Chander present petitioner had filed a suit for specific performance as against Charanjit Singh on the basis of agreement of sale. In that suit, Inderjit Kaur had filed an application under Order 1 Rule 10 CPC for being impleaded as party since she was owner of 50 % of the share of the property and Charanjit Singh had no right to effect sale of the ground floor including land.

Counsel for the petitioner argues that Rs.10 lacs had been given as earnest money and Rs.17 lacs were deposited in the Estate Office and now Charanjit Singh had put up his own wife to create complications in the disposal of the suit and to delay the disposal of the suit.

I have gone through detailed order dated 17.11.2006 passed by Civil Judge(Jr.Divn.), Chandigarh and do not find any good ground to interfere.

This petition is dismissed. However, since huge amount is involved in this case, trial Court shall try to hold expeditious trial by giving short adjournments.

Nothing observed by the trial Judge while disposing of the application of Inderjit Kaur shall be taken to be an expression of opinion at the time of deciding the case on merits.

January 18, 2007 (M.M. AGGARWAL)
manoj JUDGE